

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

MEDICAL INVESTMENT COMPANY,  
LTD., ERGOSERVE CORPORATE  
SERVICES, LLC, and NORTHSTAR  
INDUSTRIAL LTD.,

Plaintiffs,

v.

INTERNATIONAL PORTFOLIO, INC.,  
Defendant.

CIVIL ACTION

NO. 12-3569

**ORDER**

AND NOW, this 30th day of May, 2014, upon consideration of Plaintiffs' Motion for Summary Judgment (Document No. 12, filed November 26, 2013), Opposition of International Portfolio, Inc. to Plaintiffs' Motion for Summary Judgment and Cross-Motion for Deferral of Disposition of Plaintiff's Motion for Summary Judgment Pursuant to Fed.R.Civ.P. 56 (d) and for a Stay of the Case Due to Pending Indictment (Document No. 13, filed December 19, 2013), and Plaintiffs' Reply to Defendant's Opposition to Motion for Summary Judgment and Plaintiffs' Opposition to Defendant's Cross-Motion for Deferral of Disposition of Plaintiffs' Motion for Summary Judgment Pursuant to Federal Rule of Civil Procedure 56(d) and for a Stay of the Case Due to Pending Indictment (Document No. 14, filed January 6, 2014), **IT IS ORDERED** as followed:

1. Defendant's Cross-Motion for Deferral of Disposition of Plaintiff's Motion for Summary Judgment Pursuant to Fed.R.Civ.P. 56 (d) and for a Stay of the Case Due to Pending Indictment is **GRANTED**, and all proceedings in this civil action are **STAYED** until further order of the Court;
2. The Clerk of Court shall **TRANSFER** the case to the Civil Suspense File;

3. The Court shall **RETAIN** jurisdiction over this case, and this case shall be **RETURNED** to the Court's active docket after final resolution of the criminal proceedings against Richard Shusterman in *United States v. Shusterman*, No. 13-cr-460 (D. Md. Sept. 4, 2013), and there are no additional impediments to further proceedings and final disposition of this civil case;

4. Defense counsel in this civil case shall provide the Court with status reports covering the ongoing criminal proceedings at four (4) month intervals, or more frequently, if warranted by the circumstances; and

5. Plaintiffs' Motion for Summary Judgment is **DENIED** without prejudice to plaintiffs' right to resubmit the Motion or to file an amended motion after the Court vacates this Stay Order and returns the case to the Court's active docket.

**IT IS FURTHER ORDERED** that the entry of this Order is **WITHOUT PREJUDICE** to plaintiffs' right to file a motion seeking a *vacatur* of this Stay Order and request that this case be returned to the Court's active docket, in the event that the criminal proceedings are not resolved within a reasonable period of time or changes in the circumstances so warrant;

**IT IS FURTHER ORDERED** that, upon the *vacatur* of this Stay Order and return of this case to the Court's active docket, the Court will initiate a telephone conference for the purpose of scheduling further proceedings.

**BY THE COURT:**

/s/ Jan E. DuBois  
**DuBOIS, JAN E., J.**